



MEMORANDUM

DATE: November 22, 2011

TO: Richard Miranda
City Manager

FROM: Roberto A. Villaseñor
Chief of Police

Liz Miller
Assistant City Manager

SUBJECT: Occupy Tucson Enforcement Update

I wanted to inform you that I intend to implement a slight modification to our enforcement actions in regard to Occupy Tucson. As we indicated when we initially started our enforcement actions, we felt we were able to exercise discretion in allowing Occupy Protestors to remain in the park after hours as long as we issued them citations for the offense, in essence arresting them for the violation. We gave people the option of leaving the park to avoid the citation, and many of the participants chose to do this. We were also asked if people could leave the park and stand on the sidewalk in solidarity for those receiving citations, and we allowed this to occur with the understanding that those individuals would not return to the park after we left.

Over time, this practice of leaving the park and standing on the sidewalk has transformed into a tactic to avoid the citation, but still remain in the park by returning to the tents once the officers finish their enforcement action and leave the park. My intent is to advise the protestors that we will no longer allow this method of avoiding the citations for remaining in the park after hours. The change in operations for us will consist of citing all people who are in the park after hours when we arrive at the park. People will no longer be allowed to remove themselves to the sidewalk or agree to leave the park to avoid being cited. The demonstrators have shown that they will return to the park upon our exit, and therefore avoid any consequence for their violation of the ordinance. We will continue to do this in a non-confrontational manner and we will advise the Occupy Protest participants of the change in operations prior to enforcement. My intent is to initiate this change effective on November 22, 2011.

RAV:kr

cc: Mayor and Council
Mike Rankin, City Attorney